Applicants: Kenichiro Kosai et al. Attorney Docket No.: 55801-002US1 Serial No.: 10/567.010 Client Ref. No.: PCT04TL1

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## AMENDMENTS TO THE CLAIMS

This listing of claims replaces all prior versions and listings of claims in the application:

## Listing of claims:

## 1-17. (Cancelled)

18. (Currently amended) A method of preparing a proliferation-regulated recombinant adenoviral vector effectively, comprising the steps of:

preparing a proliferation-regulated vector plasmid by, (a) preparing a restriction enzyme-recognizing unit in a vector plasmid having a proliferation-regulating unit that includes, in order from upstream to downstream, and having an E1A region, at least one protein-coding region in a E1B region or the entire E1B region, a poly(A) signal sequence, and a recombinase-recognizing sequence in that order from unstream, by deleting replacing both an endogenous promoter in the E1A region and an endogenous promoter regulating expression of the protein-coding gene at least in the at least one protein-coding region in [[of]] the E1B region and inserting with restriction enzymerecognizing sequences respectively in these deficient sites, and (b) [[:1]

introducing a promoter expressing specifically in a target organ in the restriction enzyme-recognizing unit; and

additionally; integrating the proliferation-regulated vector plasmid into a vector plasmid having containing an E1 region-deleted adenoviral genome prepared by deleting the E1 region.

19. (Currently amended) The method of preparing a proliferation-regulated recombinant adenoviral vector efficiently according to claim 18, wherein the E1A region lacks a Rb protein-binding sequence.

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20. (Currently amended) The method of preparing a proliferation-regulated recombinant adenoviral vector efficiently according to claim 19, wherein the protein-coding region in the E1B region includes a 19KDa protein-coding region and/or a 55KDa protein-coding region.

- 21. (Currently amended) The method of preparing a proliferation-regulated recombinant adenoviral vector efficiently according to claim 18, wherein each of the restriction enzyme-recognizing sequences inserted to the sites lacking the endogenous promoter in the E1A region and the endogenous promoter regulating expression of the protein-coding gene at least in one protein-coding region of the E1B region has include a blunt-end restriction enzyme site.
- 22. (Currently amended) The method of preparing a proliferation regulated recombinant adenoviral vector efficiently according to C claim 18, wherein the recombinase-recognizing sequence is LoxP, LoxH, or [[the]] a mutant sequence thereof.
- 23. (Currently amended) A method of preparing a proliferation-regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently, comprising the steps of: (a) preparing a second therapeutic gene expressing vector plasmid by allowing a recombinase to react with the proliferation-regulated vector plasmid by (i) preparing a restriction enzyme-recognizing unit in a plasmid that includes, in order from upstream to downstream, an E1A region, at least one protein-coding region in a E1B region or the entire E1B region, a poly(A) signal sequence, and a recombinase-recognizing sequence, by replacing both an endogenous promoter in the E1A region and an endogenous promoter regulating expression of the protein-coding gene in the at least one protein-coding region in the E1B region with restriction enzyme-recognizing sequences, and (ii) introducing a promoter expressing specifically in a target organ in the restriction enzyme-recognizing unit; according to claim 18 (b) preparing [[and]] a first therapeutic gene-expressing vector plasmid prepared by (i) preparing a therapeutic gene-expressing unit by inserting in a plasmid in order from upstream to downstream a

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recombinase-recognizing sequence and a restriction enzyme-recognizing sequence, (ii) inserting, in order from upstream to downstream, a constitutive high-expression promoter or a therapeutic gene-expressing promoter and a therapeutic gene in that order from upstream into the restriction enzyme-recognizing sequence of the vector-plasmid containing a therapeutic gene-expressing unit, which is prepared by inserting a recombinase-recognizing sequence and a restriction enzyme-recognizing sequence respectively in that order from upstream; (c) preparing a second therapeutic gene-expressing plasmid by allowing a recombinase to react with the proliferation-regulated plasmid and the first therapeutic gene-expressing plasmid; [[,]] and additionally (d) integrating the second therapeutic gene-expressing vector plasmid into a vector plasmid having containing an E1 region-deleted adenoviral genome prepared by deleting the E1 region.

- 24. (Currently amended) The method of preparing a proliferation regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently according to claim 23, wherein the E1A region lacks a Rb protein-binding sequence.
- 25. (Currently amended) The method of preparing a proliferation-regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently according to claim 24, wherein the protein-coding region in the E1B region includes a 19KDa protein-coding region and/or a 55KDa protein-coding region.
- 26. (Currently amended) A method of preparing a proliferation-regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently, comprising the steps of: (a) preparing a proliferation-regulated adenoviral plasmid by (i) preparing a proliferation-regulated plasmid by preparing a restriction enzyme-recognizing unit in a plasmid that includes, in order from upstream to downstream, an E1A region, at least one protein-coding region in a E1B region or the entire E1B region, a poly(A) signal sequence, and a recombinase-recognizing sequence, by replacing both an endogenous promoter in the E1A region and an endogenous promoter regulating expression of the

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protein-coding gene in the at least one protein-coding region in the E1B region with restriction enzyme-recognizing sequences, and introducing a promoter expressing specifically in a target organ in the restriction enzyme-recognizing unit, and (ii) integrating the proliferation-regulated plasmid into a plasmid containing an E1 regiondeleted adenoviral genome; (b) preparing a therapeutic gene-expressing plasmid by (i) preparing a therapeutic gene-expressing unit by inserting in a plasmid in order from upstream to downstream a recombinase-recognizing sequence and a restriction enzymerecognizing sequence, (ii) inserting, in order from upstream to downstream, a constitutive high-expression promoter or a therapeutic gene-expressing promoter and a therapeutic gene into the restriction enzyme-recognizing sequence of the therapeutic gene-expressing unit; and (c) allowing a recombinase to react with the proliferation-regulated adenoviral vector plasmid according to claim 18 and the [[first]] therapeutic gene-expressing vector plasmid prepared by inserting a constitutive high-expression promoter or a therapeutic gene-expressing promoter and a therapeutic gene in that order from unstream to the restriction enzyme-recognizing sequences of the vector plasmid having a therapeutic gene-expressing unit prepared by inserting a recombinase-recognizing sequence and a restriction enzyme-recognizing sequence-respectively in that order from upstream.

- 27. (Currently amended) The method of preparing a proliferation-regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently according to claim 26, wherein the E1A region lacks a Rb protein-binding sequence.
- 28. (Currently amended) The method of preparing a proliferation-regulated recombinant-adenoviral vector having an integrated therapeutic gene efficiently according to claim 27, wherein the protein-coding region in the E1B region includes a 19KDa protein-coding region and/or a 55KDa protein-coding region.
- (Currently amended) The method of preparing a proliferation-regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently;
   according to claim 26, further comprising the steps of: mixing the proliferation-regulated

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adenoviral veetor plasmid and the first proliferation-regulated adenoviral veetor plasmid, allowing a recombinase to react with the mixture, and then, transforming the veetors plasmids into each other.

30. (Currently amended) The method of preparing a preliferation-regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently, according to claim 26, further comprising the steps of: cotransfecting the proliferation-regulated adenoviral vector plasmid and the [[first]] therapeutic gene-expressing vector plasmid into a recombinase-expressing cell.

- 31. (Currently amended) The method of preparing a proliferation-regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently according to claim 30, wherein the recombinase-expressing cell is a cell prepared by making an adenoviral E1-region protein-expressing cell additionally express a recombinase.
- 32. (Currently amended) The method of preparing a proliferation regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently according to claim 23, wherein the recombinase-recognizing sequence in the vector plasmid containing a therapeutic gene-expressing unit is different from the recombinase-recognizing sequence in the vector plasmid having that includes a proliferation-regulating regulated plasmid [[unit]].
- 33. (Currently amended) The method of preparing a proliferation-regulated recombinant-adenoviral vector having an integrated therapeutic gene efficiently according to claim 32, wherein the E1A region lacks a Rb protein-binding sequence.
- 34. (Currently amended) The method of preparing a proliferation regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently

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according to claim 33, wherein the protein-coding region in the E1B region includes a 19KDa protein-coding region and/or a 55KDa protein-coding region.

- 35. (Currently amended) The method of preparing a proliferation regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently according to claim 23, wherein [[the]] a drug tolerance gene in the vector plasmid having a proliferation-regulating regulated plasmid [[unit]] and [[the]] a drug tolerance gene in [[of]] the vector plasmid having a therapeutic gene-expressing unit are different from each other, and Ori in the vector plasmid-containing a therapeutic gene-expressing unit can duplicate pir genes such as R6Ky only in competent cell.
- 36. (Currently amended) The method of preparing a proliferation-regulated recombinant adenoviral-vector having an integrated therapeutic gene efficiently seconding to claim 35, wherein the E1A region lacks a Rb protein-binding sequence.
- 37. (Currently amended) The method of preparing a proliferation regulated recombinant adenoviral vector having an integrated therapeutic gene efficiently according to claim 36, wherein the protein-coding region in the E1B region includes a 19KDa protein-coding region and/or a 55KDa protein-coding region.

38-51. (Cancelled)